

or federally administered livestock disease control program. The department may adopt rules consistent with this section governing tribal participation in the program or enter into cooperative agreements with tribal organizations for the purposes of carrying out the disease control program.

(e) Proceeds from the sale of live, brucellosis-free, vaccinated wild buffalo or bison must be deposited in the state special revenue fund to the credit of the department.

(f) Any revenue generated in excess of the costs referred to in subsection (1)(d)(i) must be deposited in the state special revenue fund provided for in 87-1-513(2).

(2) Whenever the department is responsible for the death of a wild buffalo or bison, either purposefully or unintentionally, the carcass of the animal must be disposed of by the most economical means, including but not limited to burying, incineration, rendering, or field dressing for donation or delivery to a department-approved slaughterhouse or slaughter destination.

(3) In disposing of the carcass, the department:

(a) as first priority, may donate a wild buffalo or bison carcass to a charity or to an Indian tribal organization; or

(b) may sell a wild buffalo or bison carcass to help defray expenses of the department. If the carcass is sold in this manner, the department shall deposit any revenue derived from the sale of the wild buffalo or bison carcass to the state special revenue fund to the credit of the department.

(4) The department may adopt rules with regard to management of publicly owned wild buffalo or bison that enter Montana on private or public land and that are from a herd that is infected with a contagious disease that may spread to persons or livestock and may jeopardize compliance with other state-administered or federally administered livestock disease control programs.

History: En. Sec. 1, Ch. 346, L. 1995; amd. Sec. 2, Ch. 523, L. 1997; amd. Sec. 2, Ch. 604, L. 2003.

#### Cross-References

Wild buffalo or bison as species in need of management — policy — duties of Department of Fish, Wildlife, and Parks, 87-1-216.

**81-2-121. Taking of publicly owned wild buffalo or bison that are present on private property — notice — supplemental feeding — penalty.** (1) This chapter may not be construed to impose, by implication or otherwise, criminal liability on a landowner or the agent of a landowner for the taking of a publicly owned wild buffalo or bison that is suspected of carrying disease and that is present on the landowner's private property and is potentially associating with or otherwise threatening the landowner's livestock if:

(a) the landowner or agent notifies or makes a good faith effort to notify the department in order to allow as much time as practicable for the department to first take or remove the publicly owned wild buffalo or bison that is present on the landowner's property;

(b) the landowner or agent makes a good faith effort to notify the department that a taking has occurred and to retain all parts for disposal by the department; and

(c) the landowner or agent is not in violation of subsection (2).

(2) A person may not intentionally provide supplemental feed to game animals in a manner that results in artificial concentration of game animals that may potentially contribute to the transmission of disease. A person who violates this subsection is guilty of a misdemeanor and is subject to the penalty provided in 87-1-102(1). This subsection does not apply to supplemental feeding activities conducted by the department for disease control purposes.

History: En. Sec. 3, Ch. 540, L. 1995.

## Part 2 Indemnity

#### Part Cross-References

Indemnity, Title 28, ch. 11, part 3.

**81-2-201. Classification of animals as to compensation for slaughter.** Animals slaughtered under the direction of the department by order of the board are divided into two classes for the purposes of compensation:

(1) Animals determined by the department to be affected with an incurable disease, which are destroyed by order of the board, are designated as animals of class 1, and unless otherwise

any disease dangerous or inimical to the livestock or poultry industry or dangerous to dogs or other animals has become epidemic in certain localities in any other state, territory, District of Columbia, or other country, he shall issue a proclamation designating such localities and prohibiting the importation therefrom into this state, except under such restrictions as he may deem proper, of any livestock, poultry, dogs, or other animals or articles or commodities likely to convey such disease or diseases.

(2) Any person who, after the publication of such proclamation, knowingly receives any livestock, dog, fowl, or other animal or article or commodity designated in such proclamation as likely to convey disease from any of the prohibited districts and transports or conveys the same within the limits of this state is punishable by imprisonment in the county jail for not less than 60 days or more than 8 months and by a fine of not less than \$300 or more than \$5,000 or by both such fine and imprisonment and is further liable for any and all damages and loss that may be sustained by any person or persons by reason of the disobedience of such proclamation.

History: (1) En. Sec. 1, Ch. 31, L. 1925; re-en. Sec. 3295.1, R.C.M. 1935; Sec. 46-245, R.C.M. 1947; (2) En. Sec. 2, Ch. 31, L. 1925; re-en. Sec. 3295.2, R.C.M. 1935; Sec. 46-246, R.C.M. 1947; R.C.M. 1947, 46-245, 46-246.

**81-2-113. Penalty.** Any person, persons, firm, or corporation violating any provision of parts 1 through 3 of this chapter, or the rule or order promulgated by authority of same shall be guilty of a misdemeanor. Violations shall be tried without undue delay in any court of competent jurisdiction.

History: En. Sec. 29, Ch. 262, L. 1921; re-en. Sec. 3288, R.C.M. 1921; re-en. Sec. 3288, R.C.M. 1935; amd. Sec. 23, Ch. 12, L. 1977; R.C.M. 1947, 46-238.

#### Cross-References

Penalty for misdemeanor, 46-18-212.

**81-2-114. Civil liability.** A person, firm, or corporation which violates parts 1 through 3 of this chapter or rules or orders of the department is liable for damages sustained by a person because of the violation. The damages may be recovered by the person in a civil action in a court of competent jurisdiction.

History: En. Sec. 30, Ch. 262, L. 1921; re-en. Sec. 3289, R.C.M. 1921; re-en. Sec. 3289, R.C.M. 1935; amd. Sec. 81, Ch. 310, L. 1974; amd. Sec. 24, Ch. 12, L. 1977; R.C.M. 1947, 46-239.

**81-2-115 through 81-2-119 reserved.**

**81-2-120. Management of wild buffalo or bison for disease control.** (1) Whenever a publicly owned wild buffalo or bison from a herd that is infected with a dangerous disease enters the state of Montana on public or private land and the disease may spread to persons or livestock or whenever the presence of wild buffalo or bison may jeopardize Montana's compliance with other state-administered or federally administered livestock disease control programs, the department may, under a plan approved by the governor, use any feasible method in taking one or more of the following actions:

(a) The live wild buffalo or bison may be physically removed by the safest and most expeditious means from within the state boundaries, including but not limited to hazing and aversion tactics or capture, transportation, quarantine, or delivery to a department-approved slaughterhouse.

(b) The live wild buffalo or bison may be destroyed by the use of firearms. If a firearm cannot be used for reasons of public safety or regard for public or private property, the animal may be relocated to a place that is free from public or private hazards and destroyed by firearms or by a humane means of euthanasia.

(c) The live wild buffalo or bison may be taken through limited public hunts pursuant to 87-2-730 when authorized by the state veterinarian and the department.

(d) The live wild buffalo or bison may be captured, tested, quarantined, and vaccinated. Wild buffalo or bison that are certified by the state veterinarian as brucellosis-free may be:

(i) sold to help defray the costs that the department incurs in building, maintaining, and operating necessary facilities related to the capture, testing, quarantine, or vaccination of the wild buffalo or bison; or

(ii) transferred to qualified tribal entities that participate in the disease control program provided for in this subsection (1)(d). Acquisition of wild buffalo or bison by a qualified tribal entity must be done in a manner that does not jeopardize compliance with a state-administered

EXHIBIT 14  
 DATE 1-29-09  
 HB 253

## SPUR Membership form correction

**From:** Ross & Tana Canen <canen@midrivers.com>  
**To:** Chad remmich , Chris Nielsen , Chris Undem , Dennis Getz , Jack Benjamin , Linger Ranch , "Mahlistedt Ranch, Inc." , Tim & Mary O'Donnell  
**Subject:** SPUR Membership form correction  
**Date:** Jan 28, 2009 10:06 PM

Hi everybody,

I made a goof. On the membership form, it should ask how many horses you plan to have in the sale this year. We need that to know how many horses we'll have for planning everything. I am pasting the revised form below. I'm sorry for the inconvenience. Please get them sent in to me!

Tana  
 Montana SPUR Secretary

**Montana SPUR Membership Form**  
**Superior Performance Unsurpassed Ridability**

**Name:** \_\_\_\_\_  
**Ranch Name:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
 \_\_\_\_\_  
**Phone (Day):** \_\_\_\_\_ **Phone (Evening):** \_\_\_\_\_  
**Cell Phone:** \_\_\_\_\_ **FAX:** \_\_\_\_\_  
**Email:** \_\_\_\_\_ **Website:** \_\_\_\_\_

**What are the pedigrees in your herd? (If you've already provided this info, you don't need to again.)**

Stallions: \_\_\_\_\_  
 Mares: \_\_\_\_\_

**What are the goals of your horse operation? (If you've already provided this info, you don't need to again.)**

**How many horses will you offer in the sale this year?**

Weanlings \_\_\_\_\_  
 Yearlings \_\_\_\_\_  
 Green Broke \_\_\_\_\_  
 Well Broke \_\_\_\_\_  
 Proven Performance \_\_\_\_\_  
 Breeding \_\_\_\_\_

**Write name/s of ranch representatives in front of the Committees on which your ranch will serve:**

\_\_\_\_\_ Catalog compilation - photos, pedigrees, ads, motels, terms, web site, etc.  
 \_\_\_\_\_ Catalog mailing - addresses, labeling, bulk mailing, Post card mailing, catalog requests  
 \_\_\_\_\_ Fund Raising - Catalog advertisers, sponsors, booth vendors, sponsor motels, door prizes  
 \_\_\_\_\_ Screening Committee/Brand Inspection/Vets/Checkout  
 \_\_\_\_\_ Auctioneer & pedigree man/ Internet bidding  
 \_\_\_\_\_ Promotion & Advertising - magazines, posters, radio, promotional items  
 \_\_\_\_\_ Sale day details, sale order print out

**Please mail completed form and \$500 check by February 13, 2009 (after this date membership goes to \$600) to:**

**MT SPUR Secretary**  
**Tana Canen**  
**201 Olmstead Lane**  
**Glendive, MT 59330**

Questions? Call Tana at (406) 377-9837